

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,) 8:16CR200
vs.) ORDER
RICHARD E. BURTON, JR.,)
Defendant.)

This matter is before the court on the motion of Glenn A. Shapiro (Mr. Shapiro) to withdraw as counsel for the defendant, Richard E. Burton, Jr. (Burton) (Filing No. 22). Mr. Shapiro represents he has a conflict of interest after reviewing the Rule 16 discovery materials. Mr. Shapiro's motion to withdraw (Filing No. 22) is granted.

The court has determined Burton remains eligible for appointment of counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and the Amended Criminal Justice Act Plan for the District of Nebraska. The Federal Public Defender for the District of Nebraska is reappointed as counsel for Burton for the balance of these proceedings and shall forthwith file an appearance in this matter.

Mr. Shapiro shall forthwith provide the Federal Public Defender with the discovery materials provided the defendant by the government and such other materials obtained by Mr. Shapiro which are material to Burton's defense.

IT IS SO ORDERED.

IT IS FURTHER ORDERED that the Clerk shall provide a copy of this order to the Federal Public Defender for the District of Nebraska.

IT IS FURTHER ORDERED that the pretrial motion deadline of September 21, 2016, is **extended to October 14, 2016**, in order to provide counsel adequate time to prepare the case. The ends of justice have been served by extending such time and outweigh the interests of the public and defendant in a speedy trial. The additional time as a result of extending the pretrial motion deadline, i.e., **from September 7, 2016, to October 14, 2016**,

shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant such additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 7th day of September, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge